

City of Cambridge.
Office of City Solicitor.

Cambridge, Mass., Jan. 26th, 1895.

To the Honorable the Committee on Roads & Bridges,

Gentlemen:-

As I am informed, the building line, suggested to be established on Harvard Square between Boylston & Dunster Streets, would be inside, so to speak, of the front line of the building now located there. In Section 1 of Chapter 462 of the Acts 1893, authorizing the establishment of a building line on public ways, it is provided after the establishment of a building line that "Until another building line shall thereafter be established in the same manner, no structure shall thereafter be erected, placed or maintained between such building line and such way, except that steps, windows, porticoes and other ^{usual} ~~large~~ projections appurtenant to the front wall of the building may be allowed in such restricted space to the extent described in the vote establishing such building line."

The intent of the statute seems to be to keep from this space between the building line and the way all the main portions of buildings. Under this statute a City would have no right, in the vote establishing a building line, to allow any other structure to be maintained within the space before mentioned, except such usual projections as are appurtenant

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The seal of the City of Cambridge is located in the background of the header. It features a circular design with a central emblem, surrounded by a wreath and the Latin motto "SIGILLUM CIVITATIS CAMBRIDGE" at the top and "1584" at the bottom.

1/26/95.

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to the front wall of a building. Should the building line in Harvard Square be established as suggested, the effect would be to cut off such portions from the front of all buildings ^{as are} within the space between the building line and the highway. In other words, the substantial effect would be to take the land between the building line and the highway, as land in such a locality would be of no value unless it could be occupied by buildings. A jury, in passing upon the question of damages, in my opinion, would not be apt to make any distinction between taking the land and depriving the owner of ~~every~~ ^{as are} beneficial use of the same.

In this view of the law I can see no benefit to the City in the establishment of a building line in that locality, as far as the matter of damages is concerned, and there is no difference in point of time, as in either case, whether in the establishment of a building line or in widening the street and taking the land, the owners would have one year in which to bring action for damages.

Respectfully submitted,

G. A. Pevey
City Solicitor.

Opinion
of the City Solicitor upon
the advisability of establishing
a building line in Harvard Sq.

Jan 29 1895



CITY * OF * CAMBRIDGE.

In Board of Aldermen,

Jan 15th 1895

ORDERED,

That the Committee on Roads and
Bridges consider and report to the City
Council with reference to the advisability of
establishing a building ^{line} on Harvard Square
between Boylston & Dunster Streets.
Concurred Jan. 15, 1895.

A true Copy
attest

Walter H. Pike

City Clerk

Order

in reference to the
advisability of establishing
a building line in Harvard
Square.

Jan 15. 1895

C. E.

CITY OF CAMBRIDGE.

In Board of Aldermen, January 29th, 1895.

The Joint Standing Committee on Roads and Bridges

which by an order of January 15, last was directed to consider and report upon the advisability of establishing a building line on Harvard square between Boylston and Dunster streets.

Reports

That your Committee is advised by the City Solicitor, that apparently there would be no "benefit to the City in the establishment of a building line in that locality as far as the matter of damages is concerned; and there is no difference in point of time in either case, whether in the establishment of a building line or in widening the street and taking the land, as the owners would have one year in which to bring action in either case".

Your Committee therefore reports that it is inadvisable to establish a building line in Harvard square.

The full text of the City Solicitor's opinion in the matter is submitted herewith.

For the Committee,

Peter J. Rourke

Walter W. Pike City Clerk

IN COMMON COUNCIL

1895

CONCURRED

Clerk

Attest

Accepted Sent down for
Concurrence attested

REPORT

COMMITTEE ON ROADS AND BRIDGES.

upon the advisability of
establishing a building line in
Harvard Square

Jan. 29, 1895

REPORT TO THE BOARD OF ALDERMEN.

THE CITY OF BOSTON HAS THE HONOR TO ACKNOWLEDGE THE RECEIPT OF THE REPORT OF THE COMMITTEE ON ROADS AND BRIDGES, DATED JANUARY 29, 1895.

THE COMMITTEE ON ROADS AND BRIDGES REPORTS THAT IT IS IN FULL AGREEMENT WITH THE BOARD OF ALDERMEN IN THE MATTER OF THE PROPOSED BUILDING LINE IN HARVARD SQUARE.

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THE BOARD OF ALDERMEN IS ADVISED BY THE CITY

AND REPORT UPON THE ADVISABILITY OF ESTABLISHING A BUILDING LINE ON

IN THE ORDER OF JANUARY 29, 1895, WAS DIRECTED TO CONSIDER

JOHN

JANUARY 30th

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